

## § 23. Disposition of Vetoed Bills After Reconsideration

When a vetoed House bill is reconsidered and passed in the House, the House sends the bill and veto message to the Senate and informs that body that it passed by the constitutional two-thirds vote.<sup>(17)</sup> When the House fails to pass a bill over the President's veto, the bill and veto message are referred to committee, and the Senate is informed of the action of the House.<sup>(18)</sup>

A bill enacted over a Presidential veto is sent by the Presiding Officer of the House which last considered it to the Administrator of General Services who receives it for deposit.<sup>(1)</sup>

### *Referral to Committee*

#### § 23.1 Where the House fails to override the President's veto, the veto message and the bill are referred to the committee which originally reported the bill.

On Jan. 28, 1970,<sup>(2)</sup> the House considered overriding the Presi-

dent's veto of the bill (H.R. 13111) making appropriations for the Departments of Labor and Health, Education, and Welfare for fiscal year 1970. The President's veto was sustained, two-thirds not having voted in favor of overriding it.

The Speaker<sup>(3)</sup> then announced:

The message and the bill are referred to the Committee on Appropriations.

The Clerk will notify the Senate of the action of the House.

Note: the form of message sent to the Senate in this situation is as follows:

"The House of Representatives having proceeded to reconsider the bill (H.R. \_\_\_\_ ) entitled . . . returned by the President of the United States with his objections, to the House of Representatives, in which it originated, it was *Resolved*, that the said bill do not pass, two-thirds of the House of Representatives not agreeing to pass the same."

Similarly, on June 11, 1946,<sup>(4)</sup> the Speaker,<sup>(5)</sup> laid before the House the veto message of the President of the bill (H.R. 4908) to provide additional facilities for the

also 89 CONG. REC. 7051-55, 78th Cong. 1st Sess., July 2, 1943.

3. John W. McCormack (Mass.).

4. 92 CONG. REC. 6774-78, 79th Cong. 2d Sess.

5. Sam Rayburn (Tex.).

17. See § 23.2, *infra*.

18. See § 23.1, *infra*.

1. 1 USC § 106a (1970 ed.).

2. 116 CONG. REC. 1552, 1553, 91st Cong. 2d Sess., Jan. 28, 1970. See

mediation of labor disputes. The House sustained the President's veto and the Speaker ordered the bill and accompanying papers referred to the Committee on Labor.

**§ 23.2 By message the House informed the Senate of the passage of a bill in the House to reduce income taxes over the President's veto.**

On Apr. 2, 1948,<sup>(6)</sup> the following message from the House of Representatives was laid before the Senate:

IN THE HOUSE OF

REPRESENTATIVES, U.S.,  
*April 2, 1948.*

The House of Representatives having proceeded to reconsider the bill (H.R. 4790) entitled "An act to reduce individual income-tax payments, and for other purposes," returned by the President of the United States with his objections, to the House of Representatives, in which it originated; it was

*"Resolved,* That the said bill pass, two-thirds of the House of Representatives agreeing to pass the same."

Attest:

JOHN ANDREWS,  
*Clerk.*

**D. VACATING LEGISLATIVE ACTIONS**

**§ 24. Procedure**

***Passage of Bills***

**§ 24.1 By unanimous consent, the proceedings whereby a bill had been passed were vacated, so that an error in an amendment to the bill could be corrected.**

On Feb. 12, 1951,<sup>(7)</sup> it was announced to the House that during a previous day's proceedings inci-

dent to the passage of a bill<sup>(8)</sup> the Committee of the Whole and the House by separate vote had agreed to a two-page amendment, the second page of which erroneously had not been read by the Clerk. Mr. Wilbur D. Mills, of Arkansas, asked unanimous consent that the proceedings whereby the bill had been passed be vacated and that an amendment to the bill be agreed to.

There was no objection.

Thereupon, the Speaker<sup>(9)</sup> announced that without objection

6. 94 CONG. REC. 4018, 80th Cong. 2d Sess.

7. 97 CONG. REC. 1233, 1234, 82d Cong. 1st Sess.

8. H.R. 1612, to extend the authority of the President to enter into trade agreements under §310 of the Tariff Act of 1930.

9. Sam Rayburn (Tex.).